

28 AUG 2003 10:55M

+49 71 377003
O P G E S U M & B E R N S T E I N

NR. 842 5.3/4

P21469.A.08



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Markus OECHSLE et al.

Art Unit: 1731

Appln. No. : 09/936,526

Filed : December 5, 2001

Examiner: M. Halpern

For : METHOD FOR OPERATING A MACHINE FOR PRODUCING
AND/OR IMPROVING MATERIAL WEB

TERMINAL DISCLAIMER

Commissioner For Patents
PO Box 1450,
Alexandria, Virginia 23313-1450
Sir:

Your petitioner, Voith Paper Patent GmbH, a corporation of Germany, whose business address is Sankt Poltener Strasse 43 D-89522, Heidenheim Germany, represents that it is the owner of record of the entire right, title and interest of the above-identified application by virtue of an assignment recorded in the U.S. Patent and Trademark Office on December 5, 2001 at Reel 012342, Frame 0168 of U.S. Application No. 09/936,526 for METHOD FOR OPERATING A MACHINE FOR PRODUCING AND/OR IMPROVING MATERIAL WEBS.

The undersigned representative is authorized to act on behalf of the assignee, and it is certified that to the best knowledge and belief of the undersigned, title is in the assignee.

Your petitioner, Voith Paper Patent GmbH, hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of any U.S. Patent maturing from application no. 09/936,516, filed on December

P21469.A08

5, 2001, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent maturing from application 09/936,516, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 as presently shortened by any terminal disclaimer of any patent maturing from application 09/936,516, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the failure of common ownership stated above.

Respectfully submitted,
Voith Paper Patent GmbH,
By Volker Linden
Signature

Dr. Volker Linden
Name (Printed)

Principal Officer
Title

August, 28, 2003